

Frederick Douglas (Admitted *Pro Hac Vice*)
David A. Billions (Admitted *Pro Hac Vice*)
Barak J. Babcock (Admitted *Pro Hac Vice*)
FEDERAL EXPRESS CORPORATION
3620 Hacks Cross Road
Building B, 3rd Floor
Memphis, Tennessee 38125
Telephone: 901/434-8519
Facsimile: 901/434-9271

SEYFARTH SHAW LLP
Gilmore F. Diekmann, Jr. (SBN 050400)
Francis J. Ortman, III (SBN 213202)
560 Mission Street
San Francisco, California 94105
Telephone: 415/397-2823
Facsimile: 415/397-8549

Attorneys for Defendant
FEDEX EXPRESS CORPORATION

UNITED STATES DISTRICT COURT

IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

EDWARD ALVARADO, JOHN AZZAM,)
CHARLOTTE BOSWELL, TANDA BROWN,)
BERTHA DUENAS, PERNELL EVANS,)
CHARLES GIBBS, JANICE LEWIS, MARIA)
MUNOZ, KEVIN NEELY, LORE PAOGOFIE,)
DYRONN THEODORE, LASONIA WALKER)
and CHRISTOPHER WILKERSON,)

Plaintiffs,

v.

FEDEX CORPORATION, a Delaware
corporation, dba FEDEX EXPRESS,

Defendant.

Case No. C04-0098 SI

Case No. C04-0099 SI

**DEFENDANT'S ADMINISTRATIVE
MOTION TO REMOVE
INCORRECTLY FILED EXHIBITS
(DOC. NO. 1308)**

Judge: Hon. Susan Illston

1 PLEASE TAKE NOTICE that Defendant Federal Express Corporation (“FedEx”)
2 inadvertently filed Doc. No. 1308. Pursuant to Civ. L.R. 7-11 FedEx requests that the Court
3 grant the attached order removing the pleading (Doc. No. 1308) that was filed in error.

4 Docket Number 1308 consists of two voluminous exhibits that were hand filed with the
5 Clerk of Court, which were Exhibits B and E to the Declaration of Barak J. Babcock (Doc. No.
6 1306). These two exhibits (Doc. No. 1308) contain some materials that should have been filed
7 under seal. FedEx is working with attorneys for Kay Parker and the Special Master to determine
8 which portions of these two exhibits should be filed publically and which portions should be
9 submitted under seal. FedEx requests that Doc. No. 1308 be removed in its entirety while this
10 process takes place. Once FedEx, Parker and the Special Master make a final determination on
11 the status of the documents contained in these two exhibits, FedEx will re-file these documents
12 and, if necessary, will seek leave from the Court at that time to file certain materials under seal.

13 WHEREFORE, FedEx requests that the Court grant the administrative relief and remove
14 Doc. No. 1308.

15 DATED: March 9, 2009

FEDERAL EXPRESS CORPORATION

16 By /s/ Barak J. Babcock

17 Barak J. Babcock
18 Federal Express Corporation

19 Doc. No. 768369

UNITED STATES DISTRICT COURT

IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

EDWARD ALVARADO, JOHN AZZAM,)
CHARLOTTE BOSWELL, TANDA BROWN,)
BERTHA DUENAS, PERNELL EVANS,)
CHARLES GIBBS, JANICE LEWIS, MARIA)
MUNOZ, KEVIN NEELY, LORE PAOGOFIE,)
DYRONN THEODORE, LASONIA WALKER)
and CHRISTOPHER WILKERSON,)

Plaintiffs,

v.

FEDEX CORPORATION, a Delaware
corporation, dba FEDEX EXPRESS,

Defendant.

Case No. C04-0098 SI

Case No. C04-0099 SI

**ORDER REMOVING DOCKET
NUMBER 1308**

Judge: Hon. Susan Illston

ORDER

Good cause having been shown it is hereby ORDERED that the Clerk of Court is directed to remove Docket Number 1308 from the Docket in this matter and it should not be considered for any purposes.



Honorable Susan Illston
U.S. District Court Judge